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9 Pierce, Fenner & Smith, Incorporated

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA**

12 NATHAN J. LORBIETZKI

13 Plaintiff,

14 vs.

15 MERRILL LYNCH, PIERCE, FENNER &
16 SMITH INCORPORATED, DOES 1-10, and
17 ROE CORPORATIONS AND ENTITIES 1-10

18 Defendants.

Case No.: 2:10-cv-01585- MMD-PAL

ORDER

FINRA Dispute Resolution Arbitration
Case No.: 10-02660

19 Defendant Merrill Lynch, Pierce, Fenner & Smith Incorporated (“Merrill Lynch”) filed
20 a Motion to Confirm Arbitration Award (“Motion”) pursuant to Nev.Rev. Stat. Ann. § 38.206
21 *et seq.*; seeking to confirm the unanimous Arbitration Award (“Award”) rendered against
22 Plaintiff Nathan Lorbietzki (“Plaintiff”) by the Financial Industry Regulatory Authority
23 (“FINRA”) in the proceeding captioned Merrill Lynch v. Nathan Lorbietzki, FINRA No. 10-
24 02660. Plaintiff filed a Non-Opposition to the Motion.

25 Upon consideration of Merrill Lynch’s Motion, the Non-Opposition thereto, any
26 testimony taken thereon and, for good cause shown, it is hereby:
27
28

1 1. **ORDERED** that Merrill Lynch's Motion to Confirm Arbitration Award is
2 **GRANTED.**

3 2. **ORDERED** that the Award issued by the Arbitration Panel on March 14, 2013
4 in FINRA Matter No. 10-02660 is confirmed in all respects.

5 3. **ORDERED** that all of Plaintiff's claims are denied in their entirety.

6 4. **ORDERED** that judgment shall be entered in this action in favor of Defendant
7 Merrill Lynch and against Plaintiff Lorbietzki in the sum of \$285,657.97 which includes
8 \$18,050.67 in interest owed on the Arbitration Award – accrued from March 15, 2013 through
9 June 21, 2013 at \$182.33 per day.
10

11 5. **ORDERED** that interest will continue to accrue on the Award in the amount of
12 \$182.33 per day from June 22, 2013, until paid in full.

13 6. **ORDERED** that Plaintiff shall pay fees and costs to Merrill Lynch incurred as a
14 result of pursuing these proceedings against Plaintiff in the amount of \$1500.00, which
15 amount shall be added to the Judgment and which shall incur interest at the statutory rate from
16 the date of the judgment forward until paid in full.
17

18 DATED this 24th day of June, 2013.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

19 Submitted by:

20
21 HOWARD & HOWARD ATTORNEYS PLLC

22 /s/ Thomas W. Davis, II

23 Thomas W. Davis, II, Esq.

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27 Attorney for Defendant Merrill Lynch,
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